

These bans and attacks fall hardest on those most marginalized, including people of color, LGBTQ people, people with low incomes, and those in rural communities. Many of these States would criminalize abortion. Those seeking abortions and those performing them would face the prospect of prison.

It is not just at the State level. The Republican leader in the Senate has said the quiet part out loud: If Republicans gain control of the Senate, they could consider Federal legislation that bans abortion as passing on the floor of this Senate.

We can't sit idly by and wait for the worst to happen. It is already at our doorstep. We must make the right to safe and secure reproductive health and freedom the law of the land. We must do it now.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

#### NOMINATION OF ASMERET ASEFAW BERHE

Mr. MANCHIN. Madam President, I am pleased to support the nomination of Dr. Asmeret Asefaw Berhe to be the Director of the Office of Science at the Department of Energy.

President Reagan famously complained that the Department of Energy never "produced a quart of oil or a lump of coal," but that was never the Department's job.

The Department of Energy is as much a Department of Science and Technology as a Department of Energy. For nearly 50 years, it has been at the forefront of scientific discovery and technology innovation. As a seedbed for science, the Department has given us the technologies to increase our energy production and use our resources in a cleaner and more efficient way, and the Office of Science lies at the heart of the Department's science mission.

It is the Nation's largest Federal supporter of basic research in the physical sciences. Its mission is to deliver the "scientific discoveries, capabilities, and major scientific tools to transform the understanding of nature and to advance the energy, economic, and national security of the United States."

Leading this important scientific enterprise calls for a scientist of great ability and vision. I believe Dr. Berhe is very qualified for this important job. In judging from the long list of academic honors and awards that she has received and the long list of scientific papers that she has written, Dr. Berhe has the scientific credentials this job requires. She is a professor of soil biochemistry at the University of California, where she is also an associate dean of graduate education and holds an endowed chair in Earth Sciences and Geology.

The Office of Science itself has long engaged in basic research relating to soil science and broader ecological questions, whether they be tracing radioactive elements through the atmosphere or the flow of energy, water, and carbon through the Earth's natural

systems. So her background is an asset and makes her very well suited to lead the Office of Science.

Dr. Berhe is also an adjunct professor at the Salk Institute for Biological Studies, and she has been a visiting professor at ETH Zurich, where Albert Einstein studied physics. She didn't teach him, but he studied there. She has authored over 100 scientific papers and has received over two dozen honors and awards for her scientific achievements.

She is incredibly well qualified for this important post of leading the Office of Science. I strongly support her nomination, and I urge a favorable vote on her nomination.

I yield back all time.

#### VOTE ON BERHE NOMINATION

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is, Will the Senate advise and consent to the Berhe nomination?

Mr. MANCHIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Ms. LUMMIS).

The result was announced—yeas 54, nays 45, as follows:

#### [Rollcall Vote No. 164 Ex.]

##### YEAS—54

Baldwin	Hassan	Padilla
Bennet	Heinrich	Peters
Blumenthal	Hickenlooper	Reed
Booker	Hirono	Rosen
Brown	Kaine	Sanders
Cantwell	Kelly	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Sinema
Cassidy	Lujan	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murkowski	Warnock
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden

##### NAYS—45

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rounds
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Toomey
Daines	Moran	Tuberville
Ernst	Paul	Wicker
Fischer	Portman	Young

#### NOT VOTING—1

Lummis

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The majority leader.

#### MOTION TO PROCEED ON MOTION TO RECONSIDER CLOTURE VOTE

Mr. SCHUMER. Madam President, I move to proceed to the motion to reconsider the vote by which cloture was not agreed to on Executive Calendar No. 844, the nomination of Lisa DeNell Cook.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed to the motion to reconsider.

The motion was agreed to.

#### MOTION TO RECONSIDER

Mr. SCHUMER. Madam President, I move to reconsider the vote by which cloture was not invoked on Calendar No. 844.

The PRESIDING OFFICER. The question is on agreeing to the motion to reconsider.

The motion was agreed to.

#### CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 844, Lisa DeNell Cook, of Michigan, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2010.

Charles E. Schumer, Mazie Hirono, Martin Heinrich, Tim Kaine, Jack Reed, Jacky Rosen, Ben Ray Lujan, Christopher A. Coons, Alex Padilla, Sheldon Whitehouse, Sherrod Brown, Debbie Stabenow, Christopher Murphy, Patrick J. Leahy, John W. Hickenlooper, Tammy Baldwin, Angus S. King, Jr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the debate on the nomination of Lisa DeNell Cook, of Michigan, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2010, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Ms. LUMMIS).

The yeas and nays resulted—yeas 50, nays 49, as follows:

#### [Rollcall Vote No. 165 Ex.]

##### YEAS—50

Baldwin	Carper	Gillibrand
Bennet	Casey	Hassan
Blumenthal	Coons	Heinrich
Booker	Cortez Masto	Hickenlooper
Brown	Duckworth	Hirono
Cantwell	Durbin	Kaine
Cardin	Feinstein	Kelly

King	Osoff	Smith
Klobuchar	Padilla	Stabenow
Leahy	Peters	Tester
Lujan	Reed	Van Hollen
Manchin	Rosen	Warner
Markey	Sanders	Warnock
Menendez	Schatz	Warren
Merkley	Schumer	Whitehouse
Murphy	Shaheen	Wyden
Murray	Sinema	

## NAYS—49

Barrasso	Graham	Risch
Blackburn	Grassley	Romney
Blunt	Hagerty	Rounds
Boozman	Hawley	Rubio
Braun	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Marshall	Toomey
Crapo	McConnell	Tuberville
Cruz	Moran	Wicker
Daines	Murkowski	Young
Ernst	Paul	
Fischer	Portman	

## NOT VOTING—1

Lummis

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 49.

The motion, upon reconsideration, is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Lisa DeNell Cook, of Michigan, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2010.

The PRESIDING OFFICER. The Senator from Massachusetts.

## WOMEN'S HEALTH PROTECTION ACT

Ms. WARREN. Madam President, I rise today to urge the Senate to take action to protect abortion rights and defend our constitutional rights.

A far-right, extremist Supreme Court wants to force their views on every American. Roe v. Wade has protected the right to a safe, legal abortion for nearly 50 years. Though Republicans have tried to challenge it in court many times, the Supreme Court has reaffirmed Roe over and over and over again—until now.

So what changed? Why is something that is repeatedly referred to as “settled law” on the threshold of being swept away like so much dust? Why is a law that literally tens of millions of people have depended on to protect access to a safe, legal abortion suddenly about to evaporate?

We don't arrive here accidentally. We are here because Republican politicians have spent decades plotting for this moment. They have cultivated extremist judges. Groups like the Federalist Society have screened possible candidates and drawn up lists of which possible candidates could and could not be counted on. Extremist donors spent billions in dark money so that their preferred ideologues could chip away at people's fundamental rights and do it from the Bench. Republican candidates

for office pledged to support Justices who would get rid of Roe v. Wade. And, finally, when all of that still wasn't enough, Republicans stole two seats on the Supreme Court, all to force their unpopular minority agenda on the rest of America.

I am here to sound a warning. Republican extremism has been carefully nurtured for years. Now Republican extremism is spreading, and now it is obvious that Republican extremism knows no bounds.

Let's talk about the facts—the facts of Republican extremism—and let's begin with who pays the price for Republican extremism. Changes in abortion laws will have terrible consequences, but those consequences will not fall equally on everyone. No, those with money will always have the option to leave the State or leave the country to travel where abortion is safe and legal. No, the people who will pay the biggest price will be the most vulnerable among us—the mama already working two jobs to help make ends meet to support the children she has; the women working jobs who have no paid leave and who can't take 3 days off work to go to another State; the women in South Dakota scrambling to make an appointment at the only abortion clinic in the entire State; the 12-year-old who has been molested; the person who has been raped; the women in Texas who need lifesaving care their doctors can't provide; and the women all across the country, especially women of color, already facing shamefully high maternal mortality rates—because in America, carrying a pregnancy to term is 43 times riskier than a legal abortion.

These are the facts about overturning Roe v. Wade, and these are the people—disproportionately low-income women, women of color, and women in rural communities—who will pay the price for Republican extremism.

Overturning Roe is just the beginning. Republican State legislatures all across the country have already been emboldened by this Supreme Court, introducing hundreds of anti-abortion bills this year alone. States are now introducing bills to declare it a crime for someone to obtain an abortion, for someone to provide an abortion, or for someone just to help someone locate where they might get an abortion.

And where will the Republican extremists turn next? Will they investigate every miscarriage? Will they put every obstetrician and gynecologist on the watch list? Will they monitor location data for every person who pulls into the parking lot of a Planned Parenthood clinic?

Let's be absolutely clear about what will happen if this decision stands. Republicans want to do more than criminalize abortion; they want to criminalize women for making decisions about their pregnancies and their own health. This isn't theoretical. It is already coming to pass.

In Texas, where abortion has been virtually inaccessible to millions of

Texans for the last 8 months, a young woman has been charged with murder for an alleged self-induced abortion.

An Oklahoma law has passed that would outlaw abortion even in the case of rape or incest. But what Republicans are really after is criminalizing women's very bodies.

In Louisiana, Republicans are pushing for the most extreme bill yet, legislation that would classify abortion as a homicide. If enacted, this bill could criminalize women for using certain forms of birth control or even for having a miscarriage that she had no control over.

And we know who will be the most affected by the overcriminalization of women's bodies. It will be women of color who are already overpoliced and face the greatest barriers to accessing healthcare.

The intrusiveness of these State laws is vile. Efforts to give fertilized eggs “personhood” rights and to criminalize abortion could make IVF procedures criminal, depriving someone who wants to get pregnant the only option available to her.

As some States get more and more aggressive about intruding into the private lives of millions of women, just this weekend, the Republican leader, MITCH MCCONNELL, signaled he is open to even more extremism. He said that a nationwide abortion ban was “possible” if Republicans retake the majority—a nationwide abortion ban applicable in every State, including those States that are currently working overtime to protect access to abortion; a nationwide abortion ban applicable to girls who have been molested and to people who have been raped and to women who are already working three jobs to support the women they have. Republican extremism is spreading. Republican extremism knows no bounds.

For me, this isn't about politics; this is personal. I have lived in a world where abortion was illegal. I learned early on that when the law bans abortions, only safe and legal abortions will actually be banned. I lived in a world in which women bled to death from back-alley abortions, a world in which infections and other complications destroyed women's futures, a world in which women's educations and lives were derailed by an unplanned pregnancy, a world in which some women took their own lives rather than continuing with a pregnancy they could not bear.

I have also lived in a world where abortion is legal. For decades, expanded access to abortion has allowed people to make decisions about their own bodies and lives, promoting access to life-changing opportunities and careers that have previously seemed out of reach. But the Republican extremists and the extremist Justices they have put on the Supreme Court just don't care. They want to send us back to the days when women's rights to control their own bodies and their own futures simply did not exist.